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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/722,763
Filing Date	November 28, 2003
First Named Inventor	Ada S. Cowen
Art Unit	1616
Examiner Name	James Alstrum-Acevedo
Attorney Docket Number	105121-53733

### ENCLOSURES (Check all that apply)

- |   |  |  |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>1) PTO Form 1449 2) A Check of \$<br>180.00 3) Return Receipt Postcard |
|---|--|--|

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gibbons, Del Deo, Dolan, Griffinger & Vecchione		
Signature			
Printed name	Robert Rudnick		
Date	5/15/06	Reg. No.	36,260

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Xiangjing Zhan	Date	5/16/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Patent Application of:

**Ada S. Cowan *et al.***

: Group Art Unit: **1616**

:

Serial No.: **10/722,763**

: Examiner: **James Alstrum-Acevedo**

:

Filed: **November 28, 2003**

: Atty. Dkt. No: **105121-53733**

:

:

:

Title: **PULMONARY DELIVERY OF LIQUID MEDICAMENT AEROSOL**

Mail Stop Amendment  
Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In compliance with the duty to disclose, Applicant submits herewith Form PTO-1449 listing references.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56.

The applicant requests that the reference cited on the accompanying Form PTO-1449 be made of record because, as checked off below, the following applies:

\_\_\_ either (a) this submission precedes issuance of a first Office Action on the merits or (b) a Certification of Timely Filing Under 37 CFR 1.97(e) accompanies this submission and neither a final Office Action nor a Notice of Allowance has issued. No fee is due.

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X neither a final Office Action nor a Notice of Allowance has issued and no Certification of Timely Filing Under 37 CFR 1.97(e) accompanies this submission. A late submission fee under 37 CFR 1.97(c) is due. A check of \$180.00 is enclosed herewith.

\_\_\_ either a final Office Action or a Notice of Allowance has issued. Petition is made for consideration of the accompanying references. A petition fee is due together with a Certification of Timely Filing Under 37 CFR 1.97(e).

If any extra fees are deemed to be due, the Commissioner is authorized to charge our Deposit Account No. 03-3839.

**Correspondence**

Please address all correspondence to Intellectual Property Docket Administrator, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, One Riverfront Plaza, Newark, NJ 07102-5496. Telephone calls should be made to Robert E. Rudnick at (973) 596-4727 and fax communications should be sent directly to him at (973) 639-8318.

Respectfully submitted,

Date 5/15/06

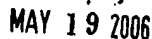


Robert E. Rudnick, Esq.

Reg. No. 36,260

Attorney for Applicants

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Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

Sheet	1
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of	1
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**Complete if Known**

Application Number	10/722,763
Filing Date	November 28, 2003
First Named Inventor	Ada S. Cowan
Art Unit	1616
Examiner Name	James Alstrum-Acevedo
Attorney Docket Number	105121-53733

[illegible][illegible]

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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